

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Aaron Gibbings	Team: Squad #8	CCRB Case #: 202100619	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 01/25/2021 3:50 PM	Location of Incident: Inside the 60th Precinct stationhouse located at 2951 West 8th Street	Precinct: 60	18 Mo. SOL 7/25/2022	EO SOL 7/25/2022	
Date/Time CV Reported Wed, 01/27/2021 10:12 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Wed, 01/27/2021 10:12 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Frank Bulzoni	02681	936258	060 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Thomas Petronis	12109	957032	060 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Frank Bulzoni	Discourtesy: Police Officer Frank Bulzoni spoke discourteously to § 87(2)(b)	
B.POM Frank Bulzoni	Discourtesy: Police Officer Frank Bulzoni spoke discourteously to § 87(2)(b)	

## Case Summary

On January 27, 2021, § 87(2)(b) filed this complaint with the CCRB via telephone.

On January 25, 2021, at approximately 3:00 p.m., § 87(2)(b) and § 87(2)(b) met with PO Frank Bulzoni in the 60<sup>th</sup> Precinct stationhouse to file a criminal complaint. During their meeting, PO Bulzoni spoke discourteously to § 87(2)(b) and § 87(2)(b) (**Allegations A and B: Discourtesy; § 87(2)(g)**).

60<sup>th</sup> Precinct stationhouse footage depicting the incident was acquired by the investigation [BR01]. There is no BWC footage as the incident occurred inside the stationhouse and did not require BWC activation.

## Findings and Recommendations

**Allegation A—Discourtesy: Police Officer Frank Bulzoni spoke discourteously to § 87(2)(b)**  
**Allegation B—Discourtesy: Police Officer Frank Bulzoni spoke discourteously to § 87(2)(b)**

It is undisputed that PO Bulzoni and § 87(2)(b) had long known each other § 87(2)(b) and had been acquaintances prior to the incident. It is undisputed that § 87(2)(b) and § 87(2)(b) met with PO Bulzoni in the 60<sup>th</sup> Precinct stationhouse to file a complaint. Whether PO Bulzoni spoke discourteously to § 87(2)(b) and § 87(2)(b) remains in dispute.

§ 87(2)(b) was interviewed by the CCRB on January 29, 2021 [BR02]. § 87(2)(b) stated that on January 25, 2021, at approximately 3:00 p.m., he and § 87(2)(b) met with PO Bulzoni in his office to file a complaint: § 87(2)(b) had been receiving threatening messages via her cellphone from individuals with whom she was involved in a monetary dispute. § 87(2)(b) stated that PO Bulzoni appeared to be irritated from the moment their conversation began. After hearing their complaint, PO Bulzoni told § 87(2)(b) and § 87(2)(b) that the alleged threats against § 87(2)(b) did not constitute criminal conduct and that he could not take any police action on the matter. § 87(2)(b) and § 87(2)(b) asked PO Bulzoni to review the messages for himself, which he ultimately agreed to do. Because the messages were in Russian, PO Bulzoni momentarily left the room to find a Russian-speaking officer who could interpret. When PO Bulzoni returned, he told § 87(2)(b) and § 87(2)(b) that her harassers were within their right to demand that she repay her monetary debts and added that he would do the same. In turn, § 87(2)(b) told PO Bulzoni that he could not make any such judgement based on the messages alone, and that the threats needed to be criminally investigated. PO Bulzoni became increasingly irritated with § 87(2)(b)'s pleas, and suggested that § 87(2)(b) was telling him how to do his job. § 87(2)(b) asked PO Bulzoni whether he would in fact take no action about the complaint, which PO Bulzoni affirmed.

As § 87(2)(b) thanked PO Bulzoni and turned to leave with § 87(2)(b) PO Bulzoni started kicking and punching his desk, shouting at the two for deciding to depart before he had granted them permission to do so. PO Bulzoni then opened his door and repeatedly shouted “Get the fuck out!”, “Get the fuck out of my office!” at least five times to § 87(2)(b) and § 87(2)(b) in addition to repeatedly yelling “Don’t tell me how to do my fucking job!” PO Bulzoni also shouted that he never wanted to see them again and that they were not allowed to return to his precinct, loudly slamming his office door shut before leading the pair out of the stationhouse. PO Bulzoni also used the words “shit” and “bullshit”, although § 87(2)(b) could not remember exactly how these words were used. § 87(2)(b) and § 87(2)(b) exited the stationhouse as instructed and returned to § 87(2)(b)'s car.

§ 87(2)(b) was interviewed by the CCRB on February 04, 2021 [BR03]. Her statement was largely consistent with § 87(2)(b) s. § 87(2)(b) stated that PO Bulzoni told her and § 87(2)(b) to “Get the fuck out of here!” and made other profane remarks as they were leaving, although she did not recall PO Bulzoni using the words “shit” or “bullshit”. § 87(2)(b) described PO Bulzoni’s demeanor during the incident as “very angry”.

PO Bulzoni was interviewed by the CCRB on March 16, 2021 [BR04]. PO Bulzoni stated that after reviewing the phone messages in question and having them interpreted by a Russian-speaking officer, he informed § 87(2)(b) that there was no criminal matter to investigate, and that he believed § 87(2)(b) and § 87(2)(b) to be the ones who were morally on the wrong side of § 87(2)(b) s monetary dispute. He declined to take any police action with respect to their complaint.

§ 87(2)(b) reacted with anger. He started yelling and cursing upon hearing PO Bulzoni’s words and told the officer that he should “do [his] job”. § 87(2)(b) reminded PO Bulzoni that they were “friends” and added that he was “no good” if he could not help them. In response, PO Bulzoni accused § 87(2)(b) of “taking advantage of our friendship” in attempting to file a “false” harassment report and instructed § 87(2)(b) to get out of the office. § 87(2)(b) at first continued shouting, but ultimately complied after PO Bulzoni repeated his command, and exited the stationhouse without further incident.

When asked about the words he and § 87(2)(b) exchanged during their dispute, PO Bulzoni stated that they were “angry with each other” and “definitely not happy with each other”, and that he “definitely yelled back at § 87(2)(b)”. In response to the allegations against him, PO Bulzoni stated that because he and § 87(2)(b) knew each other as friends and had been comfortable with one another, the tone of their conversation was “different” compared to standard officer-civilian discourse, including after they became angry with one another.

PO Bulzoni did not remember the exact words he used during the incident, and later in the interview contradicted himself by saying he did not know whether § 87(2)(b) used profanity. He could neither recall whether he used the words “fuck”, “shit”, or “bullshit” during the altercation, nor did he deny the possibility of having used any such language.

60th Precinct stationhouse footage capturing part of the incident, titled “060PCT-C026-1st FL-Lobby-2021-01-25\_14h30min00s000ms”, was played during the interview. The footage depicts § 87(2)(b) and § 87(2)(b) following PO Bulzoni out of his office and out of the stationhouse lobby at approximately 3:51 p.m., and a second officer apparently unrelated to the incident closely following the group outside [BR01][BR06]. PO Bulzoni identified both § 87(2)(b) and § 87(2)(b) and identified himself as the officer wearing a blue jacker escorting the pair out of the stationhouse. The footage corroborates the testimonies of all parties to the incident.

The unidentified officer depicted in the footage was confirmed by the investigation to be PO Petronis [BR07][BR08], who on April 16, 2021 was interviewed by the CCRB as a witness to the incident [BR09]. PO Petronis stated that while he did not know the context and could not remember any particular details about PO Bulzoni’s conversation with § 87(2)(b) and § 87(2)(b) PO Bulzoni appeared to be “upset” with something the pair did or said, and wanted them to leave the stationhouse. PO Petronis recounted PO Bulzoni telling § 87(2)(b) and § 87(2)(b) they had to leave, while in contrast, § 87(2)(b) and § 87(2)(b) seemed “confused”, as if “they didn’t really understand why they were being escorted out”. PO Petronis could not attest to PO Bulzoni shouting at § 87(2)(b) or § 87(2)(b). He stated rather that PO Bulzoni’s tone was “very firm” and “slightly louder than conversational”; meanwhile, § 87(2)(b) and § 87(2)(b) s tone was low. PO Petronis could not remember whether PO Bulzoni used the words “fuck”, “shit”, or “bullshit” during the incident.

According to Patrol Guide Procedure 200-02 [BR10], NYPD officers pledge to “maintain a higher standard of integrity than is generally expected of others because so much is expected of [officers]” and “value human life, respect the dignity of each individual and render our services with courtesy and civility”. As per the Patrol Guide, these are central themes of the NYPD’s mission and values.

DAO-DCT Case 2017-17276 [BR11] holds that “language which would be inappropriate for the vast majority of police-citizen encounters may be excused when used as a means of verbal suasion intended to dissuade a suspect from active resistance to an arrest”. Additionally, DAO-DCT Case 2013-10143 [BR12] holds that “profanity has been found to be permissible where the officer has resorted to such language in the heat of a highly dangerous situation”.

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

### **Civilian and Officer CCRB Histories**

- § 87(2)(b), § 87(2)(g)
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
- This is the first CCRB complaint to which § 87(2)(b) [REDACTED] has been a party.
- PO Bulzoni has been a member of service for 16 years. He has been the subject in 16 prior CCRB complaints totaling 33 allegations, of which two were substantiated.
  - 201200928 involved a substantiated allegation of a frisk against PO Bulzoni. The Board recommended Charges, and the NYPD declined to prosecute.
  - 201100781 involved a substantiated allegation of discourtesy against PO Bulzoni. The Board recommended Command Discipline, and the NYPD imposed Command Discipline B.

§ 87(2)(g)

## Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- According to the Office of Court Administration (OCA), neither § 87(2)(b) nor § 87(2)(b) have been convicted of any crimes in New York City.
- A Notice of Claim FOIL request for this incident yielded negative results.

Squad No.: 8

Investigator: Aaron Gibbings      Investigator Aaron Gibbings      05/10/2021  
Signature      Print Title & Name      Date

Squad Leader: Ethan De Angelo      IM Ethan De Angelo      5/10/2021  
Signature      Print Title & Name      Date

Reviewer: \_\_\_\_\_

Signature \_\_\_\_\_ Print Title & Name \_\_\_\_\_ Date \_\_\_\_\_